



~~March 20, 2007 CPC~~
~~May 15, 2007 CPC~~
~~July 17, 2007 CPC~~
August 22, 2007 BS

STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

07SN0251
(AMENDED)

Salvatore Cangiano

Dale Magisterial District

Providence Elementary; Bailey Bridge Middle; and Clover Hill High Schools Attendance Zones
Northwest line of Genito Road

REQUEST: (Amended) Rezoning from Agricultural (A) to Residential Townhouse (R-TH) plus Conditional Use Planned Development to permit exceptions to Ordinance requirements.

PROPOSED LAND USE:

A residential townhouse development is proposed. A maximum of seventy-four (74) dwelling units would be permitted in an R-TH District, yielding a density of 8.0 units per acre; however, the average actual recorded density in an R-TH District is 4.61 per acre yielding forty-two (42) dwelling units.

PLANNING COMMISSION RECOMMENDATION

RECOMMEND APPROVAL AND ACCEPTANCE OF THE PROFFERED CONDITIONS ON PAGES 2 THROUGH 5.

AYES: MESSRS. GECKER, GULLEY, BASS AND WILSON.
ABSENT: MR. LITTON.

STAFF RECOMMENDATION

Recommend approval for the following reasons:

- A. Given area land use changes since the adoption of the Northern Area Plan in 1986, deviation from the recommendations of the Plan appear to be appropriate.

The proposed residential townhouse development promotes desired land use transitions from the existing residential multifamily uses to the southeast to the established residential developments to the west.

- B. The proffered conditions adequately address the impacts of this development on necessary capital facilities, as outlined in the Zoning Ordinance and Comprehensive Plan. Specifically, the needs for roads, schools, parks, libraries and fire stations is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program, and the impact of this development is discussed herein. The proffered conditions mitigate the impact on capital facilities, thereby insuring adequate service levels are maintained and protecting the health, safety and welfare of County citizens.

(NOTE: CONDITIONS MAY BE IMPOSED OR THE PROPERTY OWNER(S) MAY PROFFER CONDITIONS. THE CONDITIONS NOTED WITH "STAFF/CPC" WERE AGREED UPON BY BOTH STAFF AND THE COMMISSION. CONDITIONS WITH ONLY A "STAFF" ARE RECOMMENDED SOLELY BY STAFF. CONDITIONS WITH ONLY A "CPC" ARE ADDITIONAL CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION.)

PROFFERED CONDITIONS

The Developer (the “Developer”) in this zoning case, pursuant to Section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Chesterfield County, for himself and his successors or assigns, proffers that the development of the property known as Chesterfield County Tax Identification Number 745-683-9215 (the “Property”) under consideration will be developed according to the following conditions if, and only if, the rezoning request for R-TH is granted. In the event the request is denied or approved with conditions not agreed to by the Developer, the proffers and conditions shall be immediately be null and void and no further force or effect.

- | | | |
|-------------|----|---|
| (STAFF/CPC) | 1. | <u>Master Plan</u> . The Textual Statement dated March 16, 2007 shall be the Master Plan. (P) |
| (STAFF/CPC) | 2. | <u>Wastewater</u> . The public wastewater system shall be used. (U) |
| (STAFF/CPC) | 3. | <u>Timbering</u> . With the exception of timbering which has been approved by the Virginia State Department of Forestry for the removal of dead or diseased trees, there shall be no timbering on the Property until a land disturbance permit has been obtained from the Environmental Engineering Department and the approved devices have been installed. (EE) |
| (STAFF/CPC) | 4. | <u>Cash Proffer</u> . For each dwelling unit developed, the applicant, subdivider, or assignee(s) shall pay the following to the County of Chesterfield prior to the issuance of a building permit for each |

dwelling for infrastructure improvements within the service district for the Property:

- a. \$15,600 per dwelling unit if paid prior to July 1, 2007; or
- b. The amount approved by the board of Supervisors not to exceed \$15,600 per dwelling unit adjusted upward by any increase in the Marshall and Swift Building Cost Index between July 1, 2006 and July 1 of the fiscal year in which the payment is made after June 30, 2007.
- c. Cash proffer payments shall be spent for purposes proffered or as otherwise permitted by law.
- d. Should Chesterfield County impose impact fees at any time during the life of the development that are applicable to the Property, the amount paid in cash proffers shall be in lieu of or credited toward, but not in addition to, any impact fees, in a manner as determined by the County. (B&M)

(STAFF/CPC) 5. Buffers. All required buffers shall be located within recorded open space. (P)

(STAFF/CPC) 6. Public Streets. All streets that accommodate general traffic circulation through the development as determined by the Transportation Department shall be designed and constructed to VDOT standards and taken into the State System. (T)

(STAFF/CPC) 7. Transportation.

- a. Direct vehicular access from the Property to Genito Road shall be limited to two (2) public roads. One (1) access shall align with the crossover on Genito Road that serves Tracker Drive, and the other access shall be generally located towards the northern property line. The exact location of these accesses shall be approved by the Transportation Department.
- b. In conjunction with initial development of the Property, additional pavement shall be constructed along Genito Road at each approved access to provide a separate right turn lane. The developer shall dedicate to Chesterfield County, free and unrestricted, any additional right-of-way (or easements) required for these improvements. (T)

(STAFF/CPC) 8. Dwelling Units Per Building. A maximum of seven (7) dwelling units shall be attached; however, a maximum of four (4) dwelling

units shall be attached if any one or more of the dwelling units so attached do not contain a garage. (P)

- (STAFF/CPC) 9. Garages. A minimum of forty percent (40%) of dwelling units shall have an attached garage. Where provided, if a garage is not rear- or side-loaded, it shall not be located closer to the street than the front facade of the dwelling unit it serves. The subdivision record plat shall reflect the location of lots where garage units will be constructed. (P)
- (STAFF/CPC) 10. Driveways. All driveways shall be paved or be concrete. (P)
- (STAFF/CPC) 11. Street Trees. Street trees shall be planted or retained along each side of roads and driveways except for driveways serving individual dwelling units. The exact spacing, species and size shall be approved at the time of tentative subdivision and/or site plan review. (P)
- (STAFF/CPC) 12. Sidewalks. Sidewalks shall be provided along both sides of public roads which have dwelling units fronting the road. Ornamental pedestrian-scale lighting, not to exceed fourteen (14) feet in height, shall be provided to illuminate the sidewalks. (P)
- (STAFF/CPC) 13. Building Materials. The facades of dwelling units shall be constructed of brick, brick or stone veneer, wood, vinyl, hardiplank or composite siding, or a combination of such materials. (P)
- (STAFF/CPC) 14. Foundations. All exposed portions of front and side foundations shall be faced with brick. (P)
- (STAFF/CPC) 15. Elevations. Buildings containing three (3) story dwelling units shall have an architectural treatment and materials generally consistent with those depicted in the rendering prepared by Jordan Land Design, LLC attached hereto and made a part herewith. Provided, however, the Planning Commission may approve alternate treatment and materials provided the alternative meets the spirit and intent of the above requirement relative to the building material quality, varied rooflines, articulation of the doors and windows, and varied color schemes. (P)
- (STAFF/CPC) 16. Dwelling Size. Each dwelling unit shall have a minimum gross floor area of 1300 square feet. (P)
- (STAFF/CPC) 17. Lot Width. Each lot, except end lots, shall have a minimum lot width of twenty (20) feet. (P)
- (STAFF/CPC) 18. Focal Point. The required recreational area along Genito Road shall also serve as a "focal point". The focal point area shall

include, but not be limited to, benches or other amenities that accommodate and facilitate gatherings. (P)

GENERAL INFORMATION

Location:

Northeast line of Genito Road, west of Price Club Boulevard. Tax ID 745-683-9215.

Existing Zoning:

A

Size:

9.3 acres

Existing Land Use:

Vacant

Adjacent Zoning and Land Use:

North, South and East – C-3 with Conditional Use or Conditional Use Planned Development; Commercial or vacant
West - R-9, A and C-3; Single-family residential

UTILITIES

Public Water System:

There is a twelve (12) inch water line extending along the north side of Genito Road, adjacent to this site. In addition, a twelve (12) inch water line extends along the west side of Price Club Boulevard, approximately 150 feet from this site. Use of the public water system is required by County Code. Utilities Department Design Specifications (DS-21), requires that wherever possible, two (2) supply points shall be provided for subdivisions containing more than twenty-five (25) lots.

Public Wastewater System:

There is an eight (8) inch wastewater collector line extending within an easement across the northwestern portion of this site. Use of the public wastewater system is required by County Code. However, due to the intent to subdivide this site such that a lots could be greater than 200 feet from the existing sewer line, the applicant has proffered to use the public wastewater system. (Proffered Condition 2)

ENVIRONMENTAL

Drainage and Erosion:

The subject property drains to the east through tributaries to Horner's Branch and then to Falling Creek. There are no existing or anticipated on- or off-site drainage or erosion problems.

The property is wooded and, as such, should not be timbered without obtaining a land disturbance permit from the Department of Environmental Engineering (Proffered Condition 3). This will insure that adequate erosion control measures are in place prior to any land disturbance.

Water Quality:

The existing storm water facility on the property was constructed as part of the Virginia Department of Transportation (VDOT) widening of Genito Road and is not a County Best Management Practice (BMP) facility.

PUBLIC FACILITIES

The need for fire, school, library, park and transportation facilities is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program.

Fire Service:

The Public Facilities Plan indicates that fire and emergency medical service (EMS) calls are expected to increase forty-four (44) to seventy-eight (78) percent by 2022. Six (6) new fire/rescue stations are recommended for construction by 2022 in the Plan. In addition to the six (6) new stations, the Plan also recommends the expansion of five (5) existing stations.

Based on forty-two (42) dwelling units, this request will generate approximately eleven (11) calls for fire and EMS each year. The applicant has addressed the impact of this proposed development on fire and EMS. (Proffered Condition 4)

Fire Station 24, running out of Manchester Volunteer Rescue Squad's building, and Manchester Volunteer Rescue Squad, currently provide fire protection and emergency medical service. When the property is developed, the number of hydrants, quantity of water needed for fire protection, and access requirements will be evaluated during the plans review process.

Schools:

Approximately twenty-two (22) students, (Elementary: 10, Middle: 5, and High: 7), will be generated by this development. Currently, this site lies in the Providence Elementary

School attendance zone: capacity - 687, enrollment - 574; Bailey Bridge Middle School zone: capacity - 1,521, enrollment - 1,563; and Clover Hill High School zone: capacity - 1,582, enrollment - 1,593. The enrollment is based on September 29, 2006, and the capacity is as of 2006-2007. This request will have an impact on middle and high school. There are currently twenty (20) trailers at Clover Hill High.

Tomahawk Creek Middle School is scheduled to open in the fall of 2008 and will provide relief for schools in this area of the county. A new Clover Hill High School will open in the fall of 2010.

This case combined with other tentative residential developments and zoning cases in the zones, would continue to push these schools to capacity. This case could necessitate some form of relief in the future.

The applicant has offered measures to assist in addressing the impact of this development on school capital facilities. (Proffered Condition 4)

Libraries:

Consistent with the Board of Supervisors' policy, the impact of development on library services is assessed Countywide. Based on projected population growth, the Chesterfield County Public Facilities Plan identifies a need for additional library space throughout the County.

Development of the property noted in this case would most likely impact the existing La Prade Library, the existing Clover Hill Library or a proposed new branch in the Reams-Gordon area. A need for additional library space in this area of the county is identified in the 2004 Public Facilities Plan. The applicant has addressed the impact of this development on library facilities. (Proffered Condition 4)

Parks and Recreation:

The Public Facilities Plan identifies the need for three (3) new regional parks, seven (7) community parks, twenty-nine (29) neighborhood parks and five (5) community centers by 2020. In addition, the Public Facilities Plan identifies the need for ten (10) new or expanded special purpose parks to provide water access or preserve and interpret unique recreational, cultural or environmental resources. The Plan identifies shortfalls in trails and recreational historic sites.

The applicant has offered measures to assist in addressing the impact of this proposed development on these parks and recreational facilities. (Proffered Condition 4)

Transportation:

The property (9.3 acres) is currently zoned Agricultural (A), and the applicant is requesting rezoning to Residential-Townhouse (R-TH). Based on average actual densities, the property could be developed for forty-two (42) units. With this density and

townhouse trip rates, development could generate approximately 310 average daily trips. The applicant has prepared a preliminary layout for this proposed development that shows seventy-six (76) units on the property. Based on this density and townhouse trip rates, development could generate approximately 510 average daily trips. The most recent data from the Virginia Department of Transportation (VDOT), indicates that the section of Genito Road between Hull Street Road (Route 360) and Price Club Boulevard was carrying 11,040 vehicles per day (VPD) in 2006.

The Thoroughfare Plan identifies Genito Road as a major arterial. Access to major arterials, such as Genito Road, should be controlled. Genito Road is a four-lane divided facility. A crossover is located on Genito Road midway of the property frontage, and it aligns Tracker Drive. The applicant has proffered that direct vehicular access from the property to Genito Road will be limited to two (2) public roads (Proffered Condition 7.a). One (1) of these public road accesses (the “Main Access”) will align the existing crossover on Genito Road. The other public road access (the “Secondary Access”) will be generally located towards the northern part of the property. The Secondary Access will be limited to right turns-in/right turns-out only.

Staff recommends that all of the main streets in townhouse developments be accepted into the State Highway System. Having these streets accepted into the State Highway System will insure their long-term maintenance. The applicant has proffered that all of the streets that will accommodate general traffic circulation, will be designed and constructed to State (i.e., the Virginia Department of Transportation) standards and taken into the State System. (Proffered Condition 6)

The traffic impact of this development must be addressed. The applicant has proffered to construct additional pavement along Genito Road at each public road intersection to provide a right turn lane (Proffered Condition 7.b). These road improvements will be provided with initial development of the property.

The Thoroughfare Plan identifies the need to improve existing roads, as well as construct new roads to accommodate growth. Area roads need to be improved to address safety and accommodate the increase in traffic generated by this development. Genito Road will be directly impacted by this development. The capacity of the four-lane section of Genito Road between Route 360 and Price Club Boulevard is acceptable (Level of Service A) for the volume of traffic (11,040 VPD) it currently carries.

The applicant has proffered to contribute cash, in an amount consistent with the Board of Supervisors’ Policy, towards mitigating the traffic impact of this residential development (Proffered Condition 4). As development continues in this part of the county, traffic volumes on area roads will substantially increase. Cash proffers alone will not cover the cost of the improvements needed to accommodate the traffic increases. No public road improvements in this part of the county are currently included in the Six-Year Improvement Plan, except for a project to improve the right turn movements from southbound Courthouse Road to eastbound Route 360, which is scheduled for construction in Summer 2009.

At time tentative subdivision review, specific recommendations will be provided regarding access and the internal street network.

Financial Impact on Capital Facilities:

		PER UNIT
Potential Number of New Dwelling Units	42*	1.00
Population Increase	114.24	2.72
Number of New Students		
Elementary	9.79	0.23
Middle	5.46	0.13
High	7.10	0.17
TOTAL	22.34	0.53
Net Cost for Schools	\$224,616	\$5,348
Net Cost for Parks	25,368	604
Net Cost for Libraries	14,658	349
Net Cost for Fire Stations	17,010	405
Average Net Cost for Roads	375,564	8,942
TOTAL NET COST	\$657,216	\$15,648

*Based on an average actual density of 4.61 dwelling units per acre. The actual number of dwelling units and corresponding impact may vary.

As noted, this proposed development will have an impact on capital facilities. Staff has calculated the fiscal impact of every new dwelling unit on schools, roads, parks, libraries, and fire stations at \$15,648 per unit. The applicant has been advised that a maximum proffer of \$15,600 per unit would defray the cost of the capital facilities necessitated by this proposed development. Consistent with the Board of Supervisors' policy, and proffers accepted from other applicants, the applicant has offered cash to assist in defraying the cost of this proposed zoning on such capital facilities. (Proffered Condition 4)

Note that circumstances relevant to this case, as presented by the applicant, have been reviewed and it has been determined that it is appropriate to accept the maximum cash proffer in this case.

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Northern Area Plan which suggests the property is appropriate for medium density residential use of 1.51 to 4.0 units per acre. It should be noted that the Plan was adopted in 1986. Area development has occurred which is not in compliance with the adopted Plan.

The property lies within the boundaries of the proposed Northern Area Plan Amendment which is currently under study.

Area Development Trends:

Property to the north, south and east is zoned Community Business (C-3) and is developed for commercial and private school uses or remains vacant. Properties south of Price Club Boulevard have developed for higher density residential uses. Properties to the west are zoned Residential (R-9), Agricultural (A) and Community Business (C-3) and are developed as part of the Hunters Landing Subdivision or single-family residences on acreage parcels.

Since adoption of the Plan in 1986, some zoning actions have occurred in the area that are contrary to the Plan such as the Mallard Cove and Genito Glen apartment projects along Price Club Boulevard to the southeast. The Plan designated the property for residential use of 2.5 to 4.0 dwelling units per acre, however, multifamily development with densities ranging from 7.6 to 14 units per acre were ultimately approved. With this approval, it was anticipated that the multifamily residential uses would provide an appropriate transition between the commercial and industrial uses along Hull Street Road and the existing residential uses along Genito Road.

Minimum Acreage and Lot Width:

The Zoning Ordinance requires each townhouse development to have a minimum of ten (10) gross acres. The applicant is requesting an exception to this requirement, as this proposal contains only 9.3 acres. (Textual Statement, c)

The Ordinance requires lots within townhouse developments (except end lots) have a minimum lot width of nineteen (19) feet. The applicant has provided such lots will have a minimum width of twenty (20) feet (Proffered Condition 17). End units will be required to meet Ordinance requirements relative to lot width.

Density and Row Design:

Within the Residential Townhouse (R-TH) District, density is limited to a maximum of eight (8) dwelling units per acre. This would yield a maximum of seventy-four (74)

dwelling units. However, the average actual recorded density in an R-TH District is 4.61 units per acre, yielding a maximum of forty-two (42) dwelling units.

The Zoning Ordinance limits the total number of dwelling units within each attached row of townhouses to a maximum of ten (10). With this proposal, Proffered Condition 8 limits the number of attached units to seven (7) if all units contain a garage or four (4) attached units if any one or more of such units does not contain a garage.

Recreational Area and Focal Point:

Within the R-TH District, a minimum of ten (10) percent of the gross acreage of a project, but not less than 1.5 acres, must be devoted to recreational uses. The applicant has requested an exception to this requirement and proposes an area a minimum of one (1) acre in size (Textual Statement, d).

The one (1) acre of required recreational area is to serve as a focal point on both sides of the entrance to this project and shall be improved to facilitate neighborhood gatherings. (Proffered Condition 18)

Street Trees:

The typical street trees provided on projects of this type has not been provided. Should this request be approved, staff would suggest the provision of street trees along both sides of roads which have homes fronting them.

Building Materials, Dwelling Size, Garages, Sidewalks and Lighting:

Proffered Conditions 9, 11, 12, 13, 14 and 16 address garage design, street trees, sidewalks, building materials, and minimum dwelling size.

Parking and Driveways:

The Ordinance requires the provision of two (2) off-street parking spaces for each dwelling unit. An exception is requested to permit one (1) parking within garages to be credited towards this minimum requirement (Textual Statement, a). While staff supports such exception since it reduces the amount of impervious area and therefore, the impact on water quality, the developer and future owners should be cautioned that it will not be possible in the future to convert garages into living space.

All driveways will be hard surfaced (Proffered Condition 10). The Ordinance requires driveways and parking areas within townhouse developments to have concrete curb and gutter and that private driveways and parking areas be at least fifteen (15) feet from existing or proposed public roads. The applicant is requesting exceptions to these requirements. (Textual Statement, b)

Buffers:

The Subdivision Ordinance will require provision of a buffer adjacent to Genito Road. The applicant has agreed all required buffers would be located in recorded open space. (Proffered Condition 5)

Architectural Elevations:

Within the Residential Townhouse (R-TH) District, the Ordinance requires that buildings be designed with architectural variety, imparting harmonious proportions and avoiding monotonous facades or bulky masses. Relief of facades, architectural ornamentation, varied rooflines and articulation of doors and windows are among the suggested design elements to achieve this goal.

In addition to the requirements relative to building material in Proffered Condition 13, elevations have been submitted for proposed dwelling units (reference attachments).

CONCLUSIONS

The Northern Area Plan suggests the property is appropriate for medium density residential use of 1.51 to 4.0 units per acre. Since the adoption of this Plan in 1986, some zoning actions have occurred in the area that are contrary to the Plan, such as the existing multifamily residential development to the east. As such, the proposed residential townhouse development at a maximum density of 8.0 units per acre would promote appropriate land use transitions from these existing residential multifamily uses to the southeast to the established residential developments to the west. The Northern Area Plan Amendment is currently under study.

The proffered conditions adequately address the impacts of this development on necessary capital facilities, as outlined in the Zoning Ordinance and Comprehensive Plan. Specifically, the needs for roads, schools, parks, libraries and fire stations is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program, and the impact of this development is discussed herein. The proffered conditions mitigate the impact on capital facilities, thereby insuring adequate service levels are maintained and protecting the health, safety and welfare of County citizens.

Given these considerations, approval of this request is recommended.

CASE HISTORY

Planning Commission Meeting (3/20/07):

At the request of the applicant, the Commission deferred this case to May 15, 2007.

Staff (3/21/07):

The applicant was advised in writing that any significant new or revised information should be submitted no later than March 26, 2007, for consideration at the Commission's May 15, 2007, public hearing. Also, the applicant was advised that a \$250.00 deferral fee must be paid prior to the Commission's public hearing.

Applicant (4/5/07):

The \$250.00 deferral fee was paid.

Applicant, Area Property Owners and Staff (4/24/07):

A meeting was held to discuss this case. Concerns were expressed relative to sidewalks and a buffer along Genito Road, as well as location of access points to Genito Road.

Applicant (4/30/07):

Revised proffered conditions were submitted. A deferral to July was requested.

Planning Commission Meeting (5/15/07):

At the request of the applicant, the Commission deferred this case to July 17, 2007.

Staff (5/16/07):

The applicant was advised in writing that any significant, new or revised information should be submitted no later than May 21, 2007, for consideration at the Commission's July 17, 2007, public hearing. Also, the applicant was advised that a \$250.00 deferral fee must be paid prior to the Commission's public hearing.

Staff (6/21/07):

To date, no additional information has been submitted, nor has the \$250.00 deferral fee been paid.

Applicant (7/6/07):

Revised proffered conditions were submitted.

Planning Commission Meeting (7/17/07):

The applicant accepted the recommendation. There was no opposition present.

On motion of Mr. Wilson, seconded by Mr. Gulley, the Commission recommended approval and acceptance of the proffered conditions on pages 2 through 5.

AYES: Messrs. Gecker, Gulley, Bass and Wilson.

ABSENT: Mr. Litton.

The Board of Supervisors, on Wednesday, August 22, 2007, beginning at 6:30 p.m., will take under consideration this request.

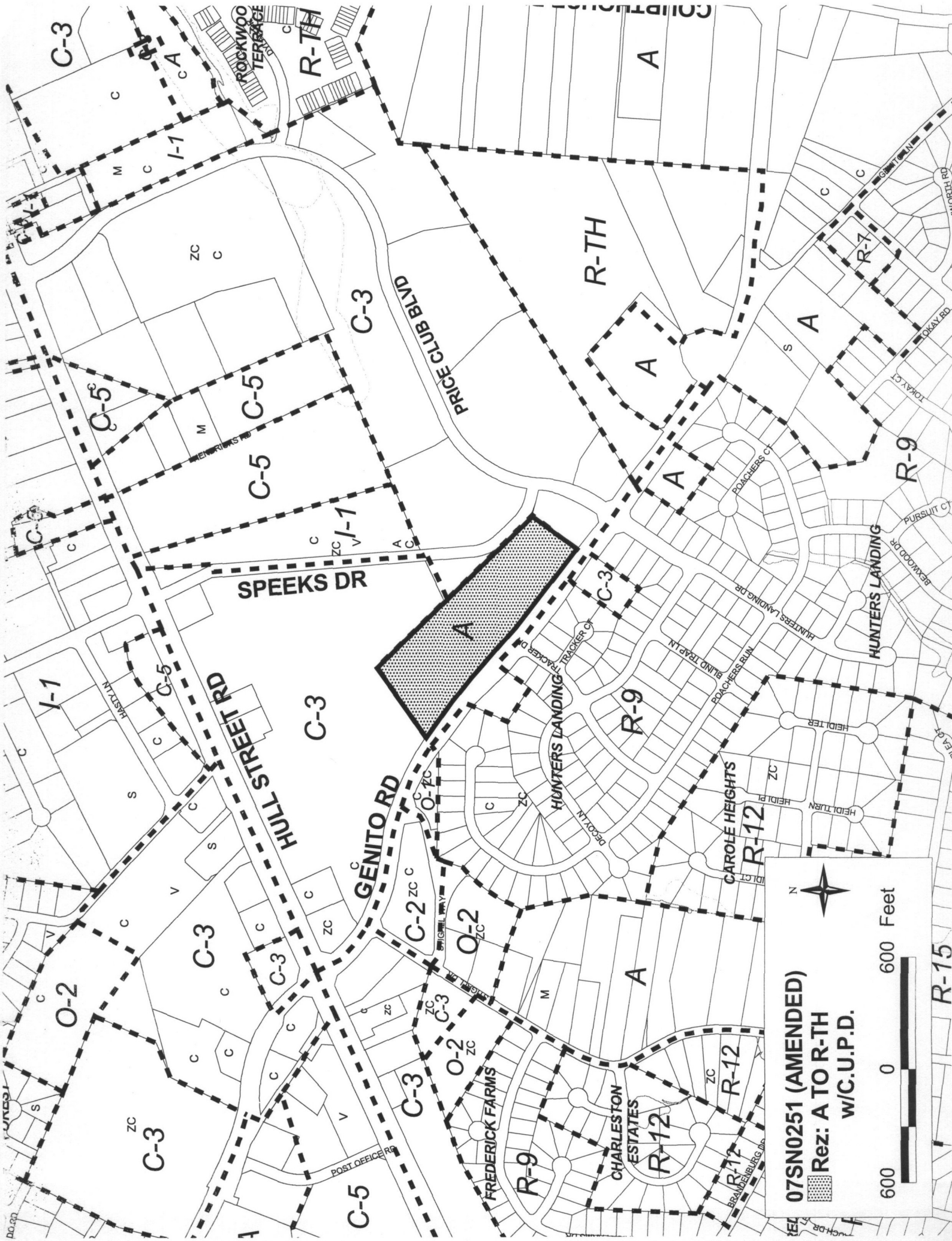
TEXTUAL STATEMENT
CASE NO. 07SN0251

March 16, 2007

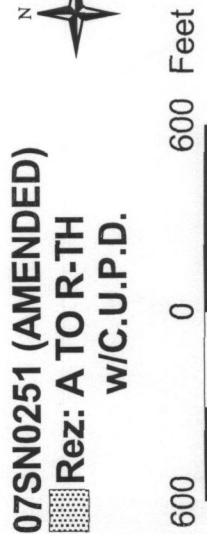
This is a request to rezone 9.6 acres of the Property under consideration to RTH with a Conditional Use Planned Development (CUPD) that will permit development of a townhouse community with the following exceptions:

- a. required parking for townhouses may include one (1) space within a townhome unit's garage;
- b. driveways and parking areas for individual townhomes shall not be required to have curb and gutter nor be setback a minimum distance from the right-of-way of any existing or proposed public road;
- c. relief from the requirements of Section 19-105(j) of the Zoning Ordinance; and
- d. to permit recreation area(s) of a minimum of one acre in size.

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07SN0251 (AMENDED)

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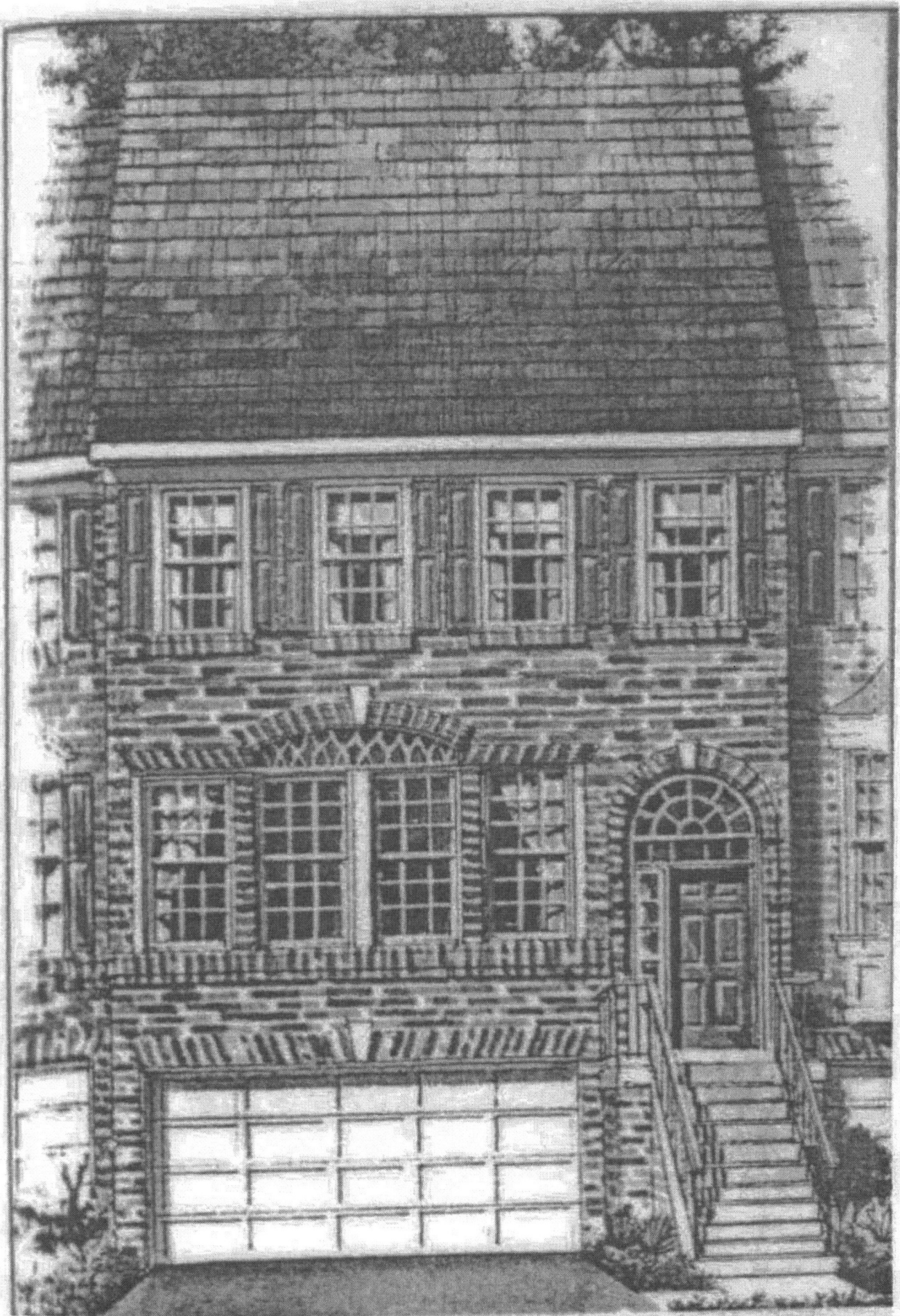
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Jordan Land Design LLC

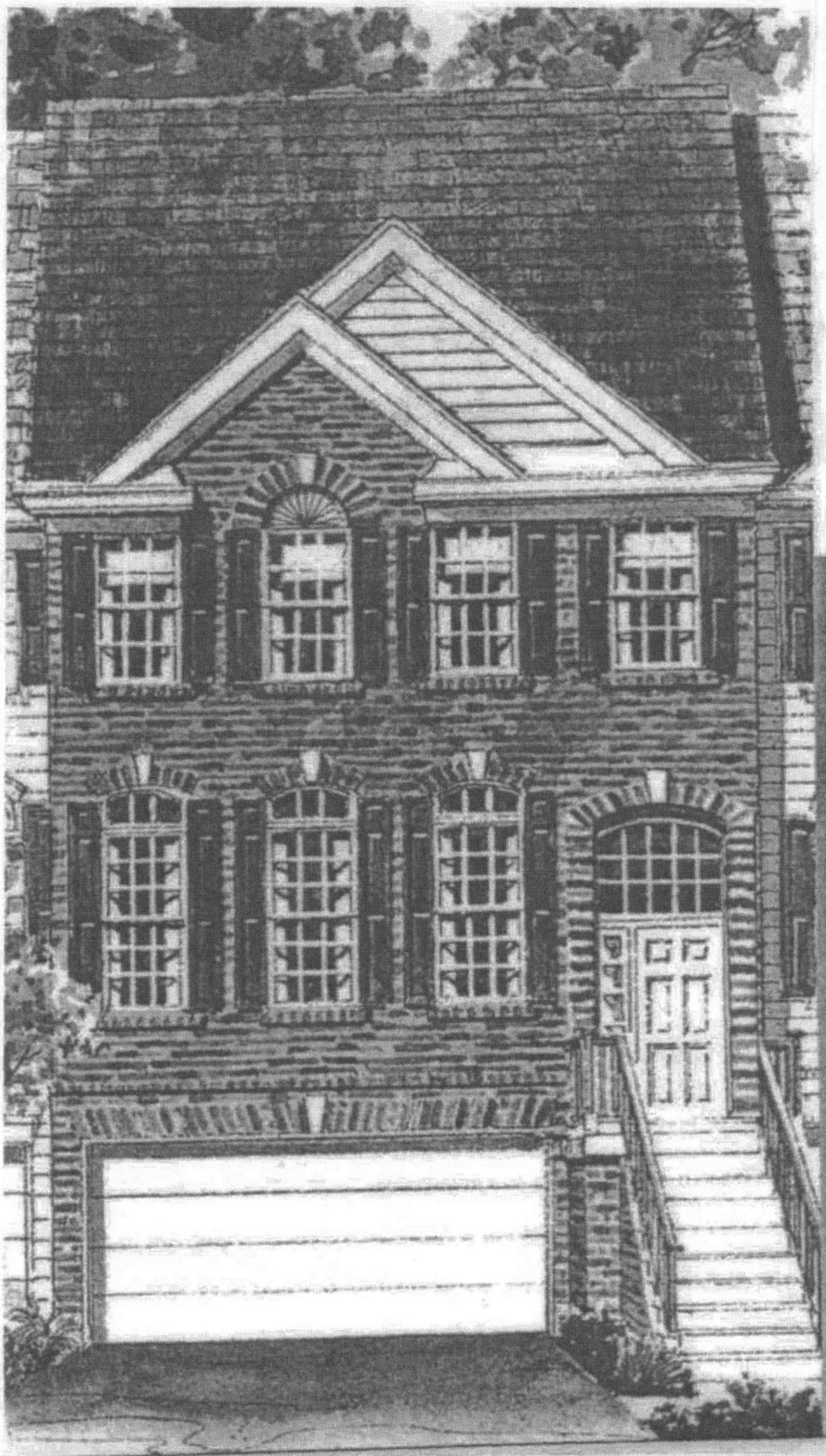
**10800 Genito Road Townhouse
Development**

March 16, 2007

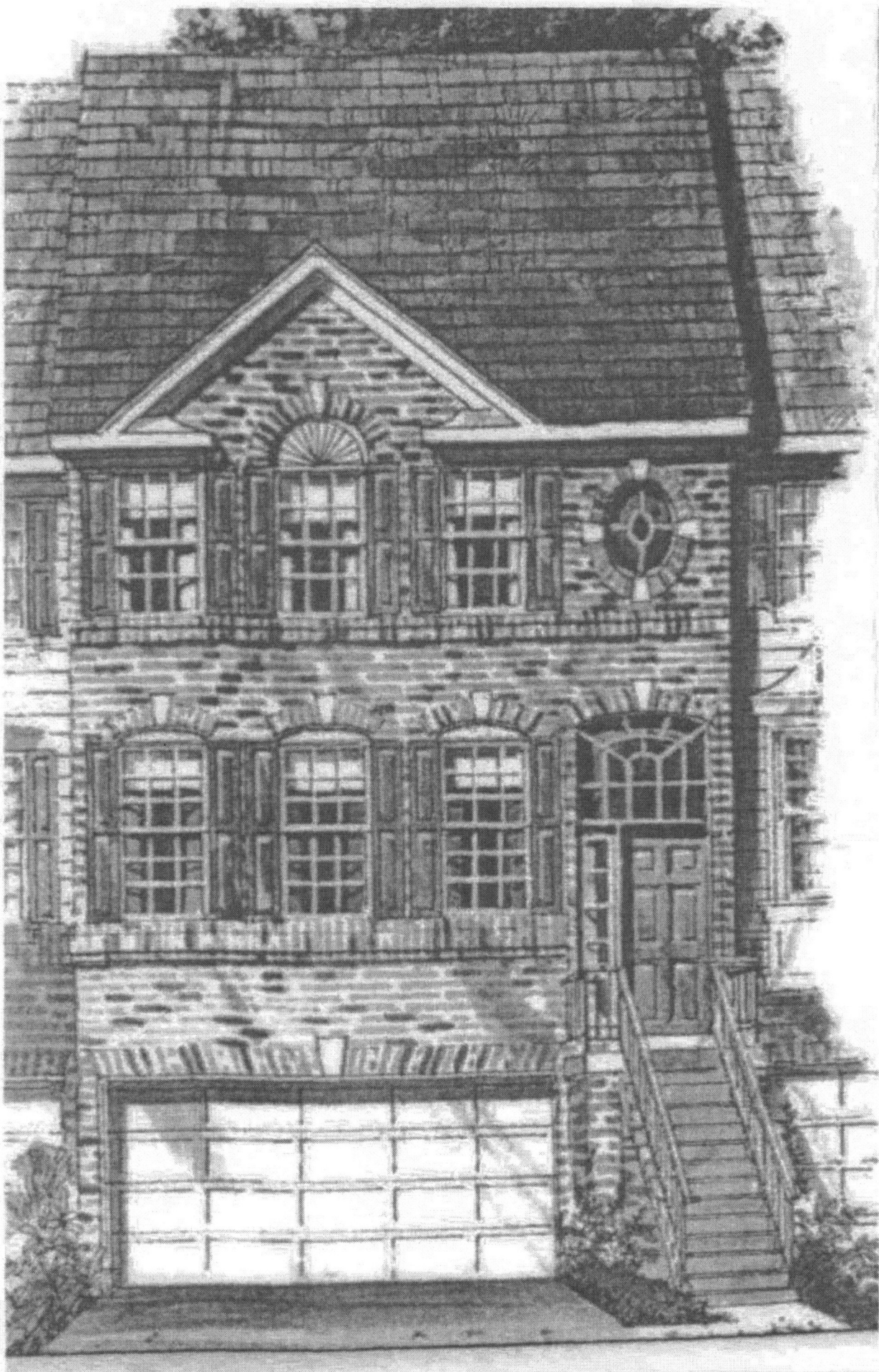
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